

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEVEN FLOYD, JOLENE FURDEK, AND
JONATHAN RYAN, on behalf of themselves
and all others similarly situated.

Plaintiffs,

V.

AMAZON.COM, INC., a Delaware corporation,
and APPLE INC., a California corporation,

Defendants.

Case No. 2:22-cv-01599-KKE

**DECLARATION OF BRIAN
FANNING IN SUPPORT OF
DEFENDANTS' MOTION FOR
COSTS AND ATTORNEYS' FEES**

**DECLARATION OF BRIAN FANNING ISO
MOTION FOR COSTS AND ATTORNEYS' FEES
(2:22-CV-01599-KKE)**

Davis Wright Tremaine LLP
LAW OFFICES
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1610
206.622.3150 main • 206.757.7700 fax

DECLARATION OF BRIAN FANNING

I, Brian Fanning, declare as follows:

1. I am the Senior Director of Revenue and Profit at Davis Wright Tremaine LLP (“DWT”), a position I have held under several titles for more than 11 years. I make this declaration from personal knowledge and review of the files and records in this matter.

2. As part of my job, I manage the process of setting billing rates for DWT personnel and deciding which charges to pass on to clients. I evaluate our rates and policies against the rates and policies of other law firms—particularly those of comparable size, expertise, reputation and location. To do this, I rely principally upon annual survey data compiled independently by one of the big four accounting firms (the “Survey”). The most recent compilations available to DWT are dated June 2024, and I reviewed those most recent compilations in connection with preparing this declaration. As reflected in the Survey compilations, the billing rates for 2024 for attorneys at DWT were generally at or below the median of the range of 19 other firms with either headquarters or branch offices in Seattle and reflective of rates that are localized to the Puget Sound area legal marketplace.

3. DWT's billing rates were \$855 per hour in 2024 and \$940 in 2025 for the work of John Goldmark, an experienced litigator and partner who graduated from law school in 2008. In 2024, the median rate for partners of Mr. Goldmark's tenure was \$932, with the first quartile rate at \$1,160.

4. DWT's billing rates were \$755 in 2024 and \$830 in 2025 for the work of MaryAnn Almeida, who graduated from law school in 2014. In 2024, the median rate for attorneys of Ms. Almeida's tenure was \$1,022, with the first quartile rate at \$1,172.

5. DWT billing rates would have been \$880 in 2024 and \$970 in 2025 for the work of Benjamin M. Mundel, a partner who graduated law school in 2012. The median rate for partners of Mr. Mundel's tenure was \$910 for 2024, with the first quartile rate at \$1,258.

**DECLARATION OF BRIAN FANNING ISO
MOTION FOR COSTS AND ATTORNEYS' FEES
(2:22-CV-01599-KKE) - 1**

Davis Wright Tremaine LLP
LAW OFFICES
920 Fifth Avenue, Suite 3300
Seattle, WA 98101-1610
206.622.3150 main • 206.757.7700 fax

1 6. DWT billing rates would have been \$950 in 2024 and \$1,045 in 2025 for the work
 2 of Mark Hopson, a *Chambers* recognized partner who graduated from law school in 1984. The
 3 median rate for partners of Mr. Hopson's tenure was \$1,157 for 2024, with the first quartile rate
 4 at \$1,372.

5 7. DWT billing rates would have been \$830 in 2024 and \$915 in 2025 for the work
 6 of Jacquelyn Fradette, a partner who graduated from law school in 2014. The median rate for
 7 partners of Ms. Fradette's tenure was \$870 for 2024, with the first quartile rate at \$1,142.

8 8. DWT billing rates would have been \$715 in 2024 and \$785 in 2025 for the work
 9 of Peter Bruland, a senior managing associate who graduated from law school in 2017. The
 10 median rate for associates of Mr. Bruland's tenure was \$818 for 2024, with the first quartile rate
 11 at \$1,068.

12 9. DWT billing rates would have been \$660 in 2024 and \$725 in 2025 for the work
 13 of Jeremy Rozansky, a senior managing associate who graduated from law school in 2019. The
 14 median rate for associates of Rozansky's tenure was \$681 for 2024, with the first quartile rate at
 15 \$1,012.

16 10. DWT billing rates would have been \$380 in 2024 and \$420 in 2025 for the work
 17 of Dex Pagdilao, an experienced paralegal. The median rate for experienced paralegals was
 18 \$378 for 2024, with the first quartile rate at \$425.

19 11. DWT billing rates would have been \$690 in 2024 and \$760 in 2025 for the work
 20 of Jon Dugan, an Of Counsel attorney at Redgrave LLP who graduated from law school in 2018.
 21 The median rate for Of Counsel of Mr. Dugan's tenure was \$722 for 2024, with the first quartile
 22 rate at \$1,107.

23 12. Mark A. Perry is a partner at Weil, Gotshal & Manges LLP, with over 30 years of
 24 experience in complex litigation matters. The median rate for partners of Mr. Perry's tenure was
 25 \$975 for 2024, with the first quartile rate at \$1,399.

26
 27 DECLARATION OF BRIAN FANNING ISO
 MOTION FOR COSTS AND ATTORNEYS' FEES
 (2:22-CV-01599-KKE) - 2

Davis Wright Tremaine LLP
 LAW OFFICES
 920 Fifth Avenue, Suite 3300
 Seattle, WA 98104-1610
 206.622.3150 main • 206.757.7700 fax

1 13. Eric Hochstadt was until recently a partner in Weil's Antitrust group with over 20
 2 years of experience in complex litigation. The median rate for attorneys of Mr. Hochstadt's
 3 tenure was \$957 for 2024, with the first quartile rate at \$1,305.

4 14. Brian Liegel is a partner, effective January 1, 2025, in Weil's Complex
 5 Commercial Litigation and Appeals and Strategic Counseling groups, who graduated from law
 6 school in 2015. The median rate for attorneys of Mr. Liegel's tenure was \$1,022 for 2024, with
 7 the first quartile rate at \$1,172.

8 15. Morgan MacBride is counsel in Weil's Complex Commercial Litigation group
 9 who graduated law school in 2014. The median rate for attorneys of Mr. MacBride's tenure was
 10 \$1,022 for 2024, with the first quartile rate at \$1,172.

11 16. Geneva Hardesty is an Associate in Weil's Antitrust group who graduated from
 12 law school in 2019. The median rate for associates of Ms. Hardesty's tenure was \$681 for 2024,
 13 with the first quartile rate at \$1,012.

14 17. Daniel Baquet is an Associate in Weil's Antitrust group who graduated from law
 15 school in 2020. The median rate for associates of Mr. Baquet's tenure was \$691 for 2024, with
 16 the first quartile rate at \$900.

17 18. Katie Black is a former Associate in Weil's Complex Commercial Litigation
 18 group who graduated from law school in 2021. The median rate for associates of Ms. Black's
 19 tenure was \$725 for 2024, with the first quartile rate at \$822.

20 19. Shivangi Bhatia is a former Associate in Weil's Antitrust group who graduated from law
 21 school in 2021. The median rate for associates of Ms. Bhatia's tenure was \$725 for
 22 2024, with the first quartile rate at \$822.

23 20. Kathryn Buggs is an Associate in Weil's Antitrust group who graduated from law
 24 school in 2023. The median rate for associates of Ms. Buggs's tenure was \$557 for 2024, with
 25 the first quartile rate at \$671.

26
 27 DECLARATION OF BRIAN FANNING ISO
 MOTION FOR COSTS AND ATTORNEYS' FEES
 (2:22-CV-01599-KKE) - 3

Davis Wright Tremaine LLP
 LAW OFFICES
 920 Fifth Avenue, Suite 3300
 Seattle, WA 98104-1610
 206.622.3150 main • 206.757.7700 fax

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

EXECUTED this 1st day of May, 2025, in Seattle, Washington.

s/ 

Brian Fanning

DECLARATION OF BRIAN FANNING ISO
MOTION FOR COSTS AND ATTORNEYS' FEES
(2:22-CV-01599-KKE) - 4

Davis Wright Tremaine LLP
LAW OFFICES
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1610
206.622.3150 main • 206.757.7700 fax